

SONAL N. MEHTA (SBN 222086)

Sonal.Mehta@wilmerhale.com

WILMER CUTLER PICKERING

HALE AND DORR LLP

2600 El Camino Real, Suite 400

Palo Alto, California 94306

Telephone: (650) 858-6000

Facsimile: (650) 858-6100

DAVID Z. GRINGER (*pro hac vice*)

David.Gringer@wilmerhale.com

WILMER CUTLER PICKERING

HALE AND DORR LLP

1875 Pennsylvania Avenue, NW

Washington, DC 20006

Telephone: (202) 663-6000

Facsimile: (202) 663-6363

Attorneys for Defendant

FACEBOOK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MAXIMILIAN KLEIN and SARAH GRABERT,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

FACEBOOK, INC., a Delaware Corporation
headquartered in California,

Defendant.

Case No. 5:20-cv-08570-LHK

**DECLARATION OF DAVID Z.
GRINGER IN SUPPORT OF
DEFENDANT FACEBOOK, INC.'S
REPLY IN SUPPORT OF ITS
MOTION TO STAY**

Judge: Hon. Lucy H. Koh

1 I, David Z. Gringer, declare as follows:

2 1. I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP. I represent
3 Defendant Facebook, Inc. in the above-captioned action.

4 2. On January 27, 2021, I spoke with counsel for Plaintiffs in this action. On that
5 telephone call, Plaintiffs' counsel stated that Plaintiffs are opposed to a single complaint
6 comprising the putative consumer (Nos. 5:20-cv-08570-LHK, 4:20-cv-08817-HSG, 4:20-cv-
7 08815-JSW, 3:21-cv-00336-VC, 3:20-cv-09130-VC, 4:21-cv-00618-KAW), advertiser (Nos.
8 3:21-cv-00337-VC, 3:20-cv-09217-EMC), and hybrid consumer/advertiser (No. 4:20-cv-08721-
9 JSW) class cases. Counsel for plaintiffs acknowledged that there may be no formal conflicts
10 between the two groups of classes, but stated that they believe "tensions" may arise. But counsel
11 did not dispute my statement that the allegations in each of the complaints overlap .

12 3. Plaintiffs' counsel stated that they were not yet certain about which sets of
13 putative class plaintiffs that they could speak on behalf of in the other consumer cases being
14 considered for relation.

15 4. As of today, Facebook has not received a draft stipulation from any plaintiff's
16 counsel regarding the organization of the cases. Today, I emailed Plaintiffs' counsel to inquire
17 about the status of the draft stipulation, to which Plaintiffs' counsel responded that they were still
18 seeking the views of the plaintiffs' counsel in the other consumer class cases before sharing the
19 draft with Facebook.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed on this 29th day of January 2021 in Washington, District of Columbia.

22
23 By: /s/ David Z. Gringer

24 David Z. Gringer
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SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing. Pursuant to Civil Local Rule 5-1(i), I hereby attest that the other signatories have concurred in this filing.

Dated: January 29, 2021

/s/ Sonal N. Mehta

Sonal N. Mehta